

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : Chapter 11 Case No.
LEHMAN BROTHERS HOLDINGS INC., *et al.* : 08-13555 (SCC)
Debtors. : (Jointly Administered)
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**ORDER DENYING MOTION
FOR AN ORDER ENFORCING THE MODIFIED THIRD
AMENDED JOINT CHAPTER 11 PLAN OF LEHMAN BROTHERS
HOLDINGS INC. AND ITS AFFILIATED DEBTORS FOR PURPOSES
OF DISTRIBUTIONS FILED BY REX WU (ECF NO. 59614) AND OVERRULING
RELATED OBJECTIONS TO THE TIMING OF EIGHTEENTH DISTRIBUTION**

Rex Wu (“Wu”), having filed a motion on April 8, 2019 [ECF No. 59614] (the “**Motion**”), seeking to *Enforce the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors for Purposes of Distributions*, all as more fully described in the Motion; and the Debtors having filed an objection to the Motion on April 12, 2019 [ECF No. 59738] (the “**Objection**”)¹; and the Court having jurisdiction to decide the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157(a)-(b) and 1334 and the *Amended Standing Order of Reference M-431*, dated January 31, 2012 (Preska, C.J.); and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and upon the record of the hearing held by the Court on the Motion on June 19, 2019 (the “**Hearing**”); and after due deliberation and for the reasons stated by the Court in its bench ruling at the Hearing, which are incorporated as if set forth herein and made part hereof, the

¹ Capitalized terms used herein but not otherwise defined shall have the meanings ascribed to them in the Objection.

Court having determined that Wu has not established sufficient factual or legal basis for the requested relief in the Motion, it is hereby

1. ORDERED that the Objection is sustained and the Motion is denied with prejudice; and it is further

2. ORDERED that any relief sought by the following pleadings is denied and any objections set forth in the following pleadings are hereby overruled: (a) *Objection to the Timing of the Early Distribution* filed by Wu [ECF No. 59772]; (b) *Objection to the Motion of Plan Administrator for an Order in aid of Execution of the Modified Third Amended Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors* filed by Dan Ianello [ECF No. 59791], (c) *Objection to the Motion of Plan Administrator for an Order in aid of Execution of the Modified Third Amended Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors* filed by Julie Ianello [ECF No. 59790]; (d) *Objection to the Motion of Plan Administrator for an Order in aid of Execution of the Modified Third Amended Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors* filed by Elizabeth Harrison [ECF No. 59789]; (e) *Motion to Approve Motion to Demand Service* filed by Julie Ianello [ECF No. 59792]; and (f) *Motion to Approve Motion to Demand Service* filed by Dan Ianello [ECF No. 59793]; and it is further

3. ORDERED that this Court shall retain jurisdiction with respect to all matters arising from or related to this Order.

Dated: July 1, 2019
New York, New York

/s/ Shelley C. Chapman
THE HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE